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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

## **Votes and Proceedings**

**of the Assembly**

**Wednesday, 10 June 1998 — No. 192**

**President of the National Assembly:  
Mr. Jean-Pierre Charbonneau**

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**QUÉBEC**



The Assembly was called to order at 10.02 o'clock a.m.

Moment of reflection

Mr. President tabled the following:

The report from the Director General of Elections of Québec on the official results of the by-election held on 1 June 1998 in the Electoral Division of Argenteuil.

(Sessional Paper No. 1705-980610)

At the invitation of Mr. President, Mrs. Gagnon-Tremblay, Leader of the Official Opposition, introduced to the Assembly the new Member for Argenteuil, Mr. David Whissell. Mrs. Gagnon-Tremblay, Mr. Bouchard, Prime Minister, Mr. Dumont (Rivière-du-Loup) and Mr. Whissell (Argenteuil) then took the floor.

Mr. President then welcomed the new Member.

## **ROUTINE PROCEEDINGS**

### **Introduction of Bills**

Mr. Julien, Minister of Agriculture, Fisheries and Food, moved that leave be granted to

introduce the following Bill:

448 An Act to amend the Act respecting the marketing of agricultural, food and fish products as regards the marketing of wild fur.

The motion was carried.

Mr. President communicated to the Assembly and then laid upon the Table the report from the Law Clerk on the following Private Bill:

278 An Act respecting programs of higher education provided by the Prêtres de Saint-Sulpice de Montréal X This Bill may not be introduced in the Assembly and it may not receive final passage before the twenty-third day of June 1998, without unanimous consent to set aside section 35 of the Rules for the Conduct of Proceedings Respecting Private Bills.

(Sessional Paper No. 1706-980610)

Mr. Laurin (Bourget) then moved that leave be granted to introduce Private Bill 278, An Act respecting programs of higher education provided by the Prêtres de Saint-Sulpice de Montréal.

This motion was carried.

On motion by Mr. Jolivet, Government House Leader, Private Bill 278 was referred for consultations and clause-by-clause consideration to the Committee on Education, of which the Minister of Education shall be a member during its deliberations in respect of the said Bill.

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Mr. President communicated to the Assembly and then laid upon the Table the report from the Law Clerk on the following Private Bill:

279 An Act respecting Ville de Val-d=Or X This Bill may not be introduced in the Assembly and it may not receive final passage before the twenty-third day of June 1998, without unanimous consent to set aside section 35 of the Rules for the Conduct of Proceedings Respecting Private Bills.

(Sessional Paper No. 1707-980610)

Mr. Pelletier (Abitibi-Est) then moved that leave be granted to introduce Private Bill 279, An Act respecting Ville de Val-d=Or.

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This motion was carried.

On motion by Mr. Jolivet, Government House Leader, Private Bill 279 was referred for consultations and clause-by-clause consideration to the Committee on Planning and the Public Domain, of which the Minister of Municipal Affairs shall be a member during its deliberations in respect of the said Bill.

**Presenting Papers**

Mr. Julien, Minister of Agriculture, Fisheries and Food, tabled the following:

The annual report of the Société de financement agricole for the fiscal year ended 31 March 1998.

(Sessional Paper No. 1708-980610)

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Mr. Rioux, Minister of Labour, tabled the following:

The annual report of the Institut de recherche et d'information sur la rémunération for the fiscal year ended 31 March 1998.

(Sessional Paper No. 1709-980610)

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Mr. President tabled the following:

The new seating plan of the National Assembly, dated 10 June 1998.

(Sessional Paper No. 1710-980610)

**Presenting Petitions**

By leave of the Assembly to set aside Standing Orders 63 and 64, Mrs. Doyer (Matapédia) tabled the following:

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The abstract of a petition respecting the opening hours of the emergency services at Mont-Joli Hospital and signed by 5200 citizens from the riding of Matapédia, more specifically from the Mitis region, some of which are members of the Syndicat des infirmières et infirmiers de l'Est du Québec.

(Sessional Paper No. 1711-980610)

### **Complaints of Breach of Privilege or Contempt and Personal Explanations**

Mr. President rendered the following decision regarding the request to rise on a point of privilege notified by the Member for Abitibi-Ouest on Tuesday, 9 June 1998, regarding a breach of the Assembly's immunities involving Mr. Mulcair (Chomedey) with regard to comments he allegedly made and documents that were tabled on 3 and 4 June 1998 which implicated the Minister of Revenue:

#### **RULING FROM THE CHAIR**

The request made by the Member for Abitibi-Ouest is not receivable. The freedom of speech privilege enjoyed by Members ensures that, when Members accomplish acts within the framework of parliamentary debates, only the rules of parliamentary law apply. Since this is a constitutional privilege, it has precedence over all other inferior rules of law contained in the legal hierarchy, in this case the *Act respecting the Ministère du Revenu* and the *Act respecting Access to documents held by public bodies and the Protection of personal information*.

Given the absence of rules of parliamentary procedure regarding the right to privacy, the President of the Assembly is not empowered to question whether comments made or documents tabled in the Assembly adversely affect the statutes. The President of the Assembly is empowered to interpret only those statutes containing parliamentary procedure. Consequently, the President does not have the authority to decide on whether a Member has allegedly breached certain legislative provisions while outside of the Assembly, thus warranting a Member to rise on a point of privilege in the Assembly.

### **Oral Questions and Answers**

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The Assembly proceeded to Oral Question Period.

At the request of Mr. President, Mr. Lefebvre (Frontenac) withdrew certain words deemed unparliamentary.

By leave of the Assembly to set aside Standing Order 59, Mr. Maciocia (Viger) tabled the following:

A press release, dated 3 June 1998, issued by the Canadian Federation of Independent Business and the affidavits of four lawyers indicating that the *Act respecting the protection of personal information in the private sector* is not complied with in deposit-taking institutions.  
(Sessional Paper No. 1712-980610)

#### **Motions Without Notice**

Mr. Jolivet, Government House Leader, moved:

THAT the Committee on Social Affairs hold special consultations on Bill 439, An Act respecting the Institut national de santé publique du Québec, on Monday, 15 June 1998, in Louis-Joseph-Papineau Room, and, for this purpose, hear the following groups:

- from 7.00 o'clock p.m. to 8.30 o'clock p.m., the Conference of Regional Boards with the Public Health Department of the Montréal Regional Board;
- from 8.30 o'clock p.m. to 9.30 o'clock p.m., the Conference of Rectors and Principals of Québec Universities;
- from 9.30 o'clock p.m. to 10.30 o'clock p.m., the Fonds de recherche en santé du Québec;
- from 10.30 o'clock p.m. to 11.30 o'clock p.m., the Public Health Laboratory;

The Minister of Health and Social Services shall be a member of the said

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Committee during its proceedings with respect to this order of reference.

By leave of the Assembly under Standing Order 84, the motion was carried.

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Mr. Jolivet, Government House Leader, moved:

THAT the Committee on Labour and the Economy also hear the Corporation des entrepreneurs généraux en construction during its special consultations on Bill 445, An Act to amend various legislative provisions relating to building and the construction industry, and that the terms and conditions regarding the presentation and exchange with the members be identical to those stipulated in the motion that was carried in the Assembly on Friday, 5 June 1998.

By leave of the Assembly under Standing Order 84, the motion was carried.

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Mrs. Bélanger (Mégantic-Compton) moved a motion concerning public hearings on the state of Québec's health system; this motion could not be debated for want of unanimous consent.

#### **Notices of Proceedings in Committees**

By leave of the Assembly to set aside Standing Order 145, Mr. Jolivet, Government House Leader, convened the following Committees:

- X the Committee on Social Affairs, to give clause-by-clause consideration to Bill 444, Tobacco Act;
- X the Committee on Culture, to continue its clause-by-clause consideration of Bill 403, An Act to establish the Grande bibliothèque du Québec;
- X the Committee on Institutions, to continue its public hearings within the framework of special consultations on the "Calgary Declaration, more particularly with respect to a prospective general social alliance agreement, and this while taking into account the rights and powers of the National Assembly and of the Québec Government, as well as their historical claims", and to give clause-by-clause consideration to Bill

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422, An Act to amend the Act respecting municipal courts and the Courts of Justice Act;

- X the Committee on Public Finance, to give clause-by-clause consideration to Bill 188, An Act respecting the distribution of financial products and services.

**ORDERS OF THE DAY**

**Debates on Reports from Committees**

The Assembly took into consideration the report from the Committee on Public Administration, which, on 4 February 1998, heard the Deputy Ministers of Culture and Communications and of Agriculture, Fisheries and Food, and the Director General of the Institut de tourisme et d'hôtellerie du Québec; on 11 February 1998, the Deputy Ministers of Transport, of the Environment and Wildlife, of Natural Resources, of Finance, of Health and Social Services, and the Inspector General of Financial Institutions; on 19 February 1998, the Deputy Minister of Education; on 24 February 1998, the Director General of the Sûreté du Québec; on 24 and 25 February 1998, the Secretary of the Conseil du Trésor, and held special consultations on casual employment in the Québec Government; on 26 February 1998, the Assistant Deputy Minister of Tourism-Québec and the Deputy Minister of Justice; on 11 March 1998, the Deputy Minister of Health and Social Services; on 1 April 1998, the Deputy Minister of Industry, Trade, Science and Technology, pursuant to the *Act respecting the accountability of deputy ministers and chief executive officers of public bodies*. The report contains recommendations.

Following a meeting with the House leaders, Mr. President announced the allocation of speaking time for the proceedings with respect to this limited debate: five minutes shall be set aside for each of the independent Members; the two parliamentary groups shall share equally the rest of the period allotted for this debate; within this framework, any time not used by a parliamentary group or by the independent Members may be redistributed, and individual speeches will not otherwise be limited.

And debate arising;

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At 12.59 o'clock p.m., Mr. Pinard, Vice-President, having left the Chair, the proceedings were suspended until 3.00 o'clock p.m.

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The proceedings resumed at 3.04 o'clock p.m.

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The Assembly continued the debate on the report from the Committee on Public Administration which, on 4 February 1998, heard the Deputy Ministers of Culture and Communications and of Agriculture, Fisheries and Food, and the Director General of the Institut de tourisme et d'hôtellerie du Québec; on 11 February 1998, the Deputy Ministers of Transport, of the Environment and Wildlife, of Natural Resources, of Finance, of Health and Social Services, and the Inspector General of Financial Institutions; on 19 February 1998, the Deputy Minister of Education; on 24 February 1998, the Director General of the Sûreté du Québec; on 24 and 25 February 1998, the Secretary of the Conseil du Trésor, and held special consultations on casual employment in the Québec Government; on 26 February 1998, the Assistant Deputy Minister of Tourism-Québec and the Deputy Minister of Justice; on 11 March 1998, the Deputy Minister of Health and Social Services; on 1 April 1998, the Deputy Minister of Industry, Trade, Science and Technology, pursuant to the *Act respecting the accountability of deputy ministers and chief executive officers of public bodies*. The report contains recommendations.

The debate expired and, pursuant to Standing Order 95, no question was put.

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The Assembly took into consideration the report from the Committee on Public Administration, which, on 20 May 1998, heard the Public Curator, pursuant to section 8 of the *Act respecting the accountability of deputy ministers and chief executive officers of public bodies*, and, for this purpose, examined the special report tabled in the National Assembly by the Auditor General on the Public Curator. The Committee also held deliberative meetings on 2 and 4 June 1998. This report contains recommendations.

Following a meeting with the House leaders, Mr. Brouillet, Vice-President, announced the

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allocation of speaking time for the proceedings with respect to this limited debate: five minutes shall be set aside for each of the independent Members; the two parliamentary groups shall share equally the rest of the period allotted for this debate; within this framework, any time not used by a parliamentary group or by the independent Members may be redistributed, and individual speeches will not otherwise be limited.

And debate arising;

The debate expired and, pursuant to Standing Order 95, no question was put.

### **Government Bills**

#### *Report Stage*

The Assembly took into consideration the report from the Committee on Labour and the Economy on its clause-by-clause consideration of Bill 182, An Act to amend the Mining Act and the Act respecting the lands in the public domain.

After debate thereon, the report was concurred in on division.

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The Assembly took into consideration the report from the Committee on Transportation and the Environment on its clause-by-clause consideration of Bill 405, An Act to provide for the protection of groundwater.

After debate thereon, the report was concurred in on division.

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The Assembly took into consideration the report from the Committee on Planning and the Public Domain on its clause-by-clause consideration of Bill 427, An Act to amend various legislative provisions respecting municipal bodies, together with the amendments handed in by Mr. Trudel, Minister of Municipal Affairs.

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The amendments were declared in order.

The amendments were carried.

The report, as amended, was concurred in.

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At 4.10 o'clock p.m., on motion by Mr. Boulerice, Deputy Government House Leader, the Assembly adjourned until Thursday, 11 June 1998, at 10.00 o'clock a.m.

**JEAN-PIERRE CHARBONNEAU**

*President*